

ENTERED

January 31, 2018

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

KEITH COLE, et al.,

Plaintiffs,

v.

BRYAN COLLIER, et al.,

Defendants.

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CIVIL ACTION NO. 4:14-cv-1698

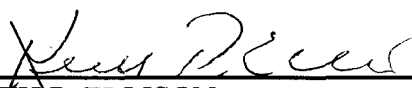
ORDER

Pending before this Court are requests from class members to be removed from the class. The Court has ordered that Class Counsel propose notice and a standardized form through which inmates can request removal from the class. (Doc. No. 960.)

There is no absolute right of opt-out in a rule 23(b)(2) class. *In re Monumental Life Ins. Co.*, 365 F.3d 408, 417 (5th Cir. 2004). The Court, in its discretion, may allow for opt-outs in its management of the class action. *See id.*; Fed. R. Civ. P. 23(d). The pending requests for removal, whether by motion (Doc. Nos. 870, 908, 909, 910, 911, 913, 923, 934, 940, 941, 942) or letter to the Court, are denied. The pending requests were submitted to the Court before the class members received adequate notice regarding their rights as class members and the consequences of such removal.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 31st day of January, 2018.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE